

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JANUARY 10, 1995  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:00 a.m. Mayor Golding simultaneously convened the Redevelopment Agency and the Regular Meeting at 10:03 a.m. The meeting was adjourned by Mayor Golding at 11:26 a.m.

ATTENDANCE DURING THE MEETING:

(M) Mayor Golding-present  
(1) Council Member Mathis-present  
(2) Council Member Harvey-present  
(3) Council Member Kehoe-present  
(4) Council Member Stevens-present  
(5) Council Member Warden-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council Member Vargas-present  
Clerk-Fishkin (ew)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

(M) Mayor Golding-present  
(1) Council Member Mathis-present  
(2) Council Member Harvey-present  
(3) Council Member Kehoe-present  
(4) Council Member Stevens-present  
(5) Council Member Warden-present  
(6) Council Member Stallings-present  
(7) Council Member McCarty-present  
(8) Council Member Vargas-present

PUBLIC COMMENT:  
None.

COUNCIL COMMENT:  
None.

ITEM-119:

SUBJECT: Contract Change Orders No. 10 and 11 and Second  
Amendment to the Consultant Agreement for Construction  
of Mission Beach Drainage Phase I Pump Station.

(Mission Beach Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-916) ADOPTED AS RESOLUTION R-285177

Authorizing a Second Amendment to the Consultant  
Agreement with Rick Engineering, for Mission Beach  
Drainage, CIP-11-226;

Approving Change Order No. 10 with Hunter Corporation,  
increasing the contract price by \$172,883.42;

Approving Change Order No. 11 with Hunter Corporation,  
increasing the contract price by \$89,000;

Authorizing the Auditor and Comptroller to transfer not  
to exceed \$76,000 from CIP-58-004.0, TransNet Fund  
30300 Annual Allocation - Miscellaneous Requirements -  
City Streets to Mission Beach Drainage, CIP-11-226;

Authorizing the Auditor and Comptroller to transfer not  
to exceed \$56,883.42 from CIP-52-545.0, Annual  
Allocation - Coastal Erosion Affecting City Streets,  
TransNet Fund 30300 to Mission Beach Drainage,  
CIP-11-226;

Authorizing the Auditor and Comptroller to transfer not  
to exceed \$246,000 from CIP-17-002.0, Annual Allocation  
- Storm Drain Project Not Yet Identified, TransNet Fund  
30300 to Mission Beach Drainage, CIP-11-226;

Authorizing the Auditor and Comptroller to transfer not  
to exceed \$83,000 from CIP-18-001.0, Annual Allocation  
- Cooperative Storm Drain Projects, TransNet Fund 30300  
to Mission Beach Drainage, CIP-11-226;

Authorizing the expenditure of not to exceed \$200,000  
from CIP-11-226, Mission Beach Drainage, TransNet Fund  
30300, for the purpose of executing the Second  
Amendment to the Consultant Agreement;

Authorizing the expenditure of not to exceed  
\$261,883.42 from CIP-11-226, Mission Beach Drainage,  
TransNet Fund 30300, for the purpose of executing  
Construction Change Orders No. 10 and 11.

**CITY MANAGER SUPPORTING INFORMATION:**

On September 18, 1989 by Resolution No. R-274407 the City Council authorized an agreement with Rick Engineering Company to provide construction documents for the Mission Beach Drainage Improvement Project CIP-11-226. During construction of Phase I of the three phase Mission Beach Drainage Project the Consultant was directed to provide additional design and submittal review for the construction of the underground drainage system. In addition the Consultant shall provide a redesign of the Santa Clara Cove Pump Station that will reduce the excavation depth thus reducing construction costs.

Associated with the redesign the Consultant will perform a dewatering evaluation and peripheral environmental monitoring with the subsequent construction. On September 20, 1992, by Resolution No. R-280758 the City Council authorized the execution of a \$3,090,000 contract with Hunter Corporation for the Construction of Mission Beach Drainage Pump Station Phase I Santa Clara Cove. Contract Change Order (CCO) No. 10 will reimburse the Contractor for a subsurface geotechnical investigation and a sand containment cofferdam. The subsurface investigation will evaluate the performance of an alternate dewatering and construction proposal recommended by the Hunter Corporation. The cofferdam was constructed to protect eelgrass beds adjacent to the pump station construction site. CCO No. 11 will reimburse the Contractor delay costs due to utility relocations not within the contract scope of work.

Aud. Cert. 9500613.

FILE LOCATION: MEET CCONFY95-1

COUNCIL ACTION: (Tape location: A063-129.)

MOTION BY STEVENS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330: CONTINUED TO JANUARY 24, 1995

SUBJECT: Crosby Street Landscape Maintenance District.

(Barrio-Logan Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:  
(R-95-575)

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Crosby Street Landscape Maintenance District.

CITY MANAGER SUPPORTING INFORMATION:

This action proposes to establish the Crosby Street Landscape Maintenance District on Crosby Street between Harbor Drive and Logan Avenue as part of the street improvement project to widen Crosby Street to a modified four lane major street. This project will also enhance the proposed Mercado Commercial Development Project that will be constructed on the south side of Crosby Street from Main Street to National Avenue. The street improvement project is expected to start in October 1994, and finish in April 1996. A postcard survey of the fifteen property owners within the proposed district resulted in four responses returned out of fifteen mailed, with three opposed and one in favor of the establishment of the district. However, non-responses to the survey are considered to be in favor of the district. This results in 92 percent approval that exceeds the 67 percent criteria in Council Policy 800-3, "Public Infrastructure Financing Assessment Districts and Community Facilities." If the landscape maintenance district is not approved, the street improvement project would include standard curbs and sidewalks and would not include landscaping, benches, trash receptacles and decorative sidewalk pavers. If the district is established, assessments would start in Fiscal Year 1996. Based on current data, the approximate annual maintenance cost would be \$31,293. This will be confirmed at a later date. The projected property owner assessment amount would be \$16.39 per lineal foot of frontage.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A027-062.)

MOTION BY KEHOE TO CONTINUE TO JANUARY 24, 1995, AT THE REQUEST OF COUNCIL MEMBER VARGAS, TO ALLOW HIM TO WORK OUT A COMPROMISE WITH THE PEOPLE WHO ARE INVOLVED IN THE CROSBY STREET LANDSCAPE MAINTENANCE DISTRICT. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,

McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: CONTINUED TO JANUARY 31, 1995

SUBJECT: Appeal of Jeffrey Chine (attorney for applicant, Sally Flaherty) from the decision of the Planning Commission in upholding the decision of the Hearing Officer to deny Community Plan Implementation Overlay Zone Permit CPIOZ-93-0443. (District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution to deny the appeal and approve the project, with conditions.

TODAY'S ACTION IS:

(R-95- )

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

SUPPORTING INFORMATION:

The appeal is being requested for a permit to remodel an existing concrete building and add a first and second story expansion with a request for a variance for a side yard setback. The site is located at 5322 Banks Street in the Linda Vista Community Plan area. The project is subject to the requirements of the M1-A Zone, Morena Revitalization Program and Community Plan Implementation Overlay Zone.

NOTE: On November 29, 1994 Council voted unanimously to hear the appeal.

LEGAL DESCRIPTION:

The site is more particularly described as Lot 12, except southeasterly 11'-0" of southwesterly 72 feet and all of Lot 13, Block 3, Vernon Park Subdivision, Map-569.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A188-309.)

Hearing began at 10:16 a.m. and halted at 10:26 a.m.  
Testimony in favor by Jeff Chine, David Ghio, and Sally Flaherty.

MOTION BY STALLINGS TO CLOSE THE HEARING AND TO CONTINUE TO JANUARY 31, 1995 AT HER REQUEST SO THAT SHE CAN HAVE AN OPPORTUNITY TO LOOK AT THE SITE. Second by Kehoe. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332:

SUBJECT: Street Vacation - Estudillo Street South of Hancock Street.

(Midway/Pacific Highway Corridor Community Area.  
District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-718) ADOPTED AS RESOLUTION R-285178

Vacating Estudillo Street South of Hancock Street,  
adjacent to Lots 1 and 12, Block 199, and Lots 6 and 7,  
Block 208, of Middletown Map-4134-R.

CITY MANAGER SUPPORTING INFORMATION:

The proposed vacation has been requested by the abutting property owner and consists of a fully-improved dead-end street which serves only the adjacent properties. The property owner proposes to use the vacated area for landscaping and off-street parking. The vacation is located in the Midway/Pacific Highway Corridor Community Plan area. The area-of-vacation totals approximately 10,000 sq.ft. The site is zoned M-SI, which allows for small scale industrial development. No development is proposed at this time. On July 11, 1989, the Planning Commission heard testimony in opposition to the proposed vacation. The primary issues raised concerned decreased availability of on-street parking. The Planning commission voted in favor of approval of the vacation by a margin of 3-2. However, since a minimum of four votes is required for recommendation of approval, this vote constituted no action with regard to the proposed vacation. The area-of-vacation is fully improved but dead-ends 130 feet south of Hancock Street. The right-of-way contains public utilities and franchise facilities which will require easement reservations, unless facilities are removed or relocated. As a condition to the vacation, standard curb, gutter, and sidewalk must be constructed across the vacation at Hancock Street. The

area to be vacated is not required for traffic circulation but provides access to legal parcels. Therefore, a consolidation parcel map is required to prevent landlocking of parcels.

FINDINGS: Staff review has indicated that the vacation is consistent with the General Plan, the community plan, and Council Policy 600-15. The right-of-way is no longer required for present or prospective public use and will not detrimentally affect the facility for which it was originally acquired. The public will benefit through improved utilization of the land, an increased tax base, and relieving the City of maintenance responsibilities.

FILE LOCATION: STRT J-2813

COUNCIL ACTION: (Tape location: A027-062.)

Hearing began at 10:03 a.m. and halted at 10:12 a.m.

MOTION BY KEHOE TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333:

SUBJECT: Three actions related to La Jolla Shores Pipeline Phase II. (See City Manager Report CMR-94-381. La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-95-754) ADOPTED AS RESOLUTION R-285179

FINDINGS MUST BE MADE AS PART OF COUNCIL ADOPTION. Determining and declaring that the public interest, convenience and necessity of the City of San Diego require the construction, operation and maintenance of the La Jolla Shores Pipeline Phase II Project, to provide a more efficient water distribution system, and to enable the City to provide for water needs for the La Jolla Community Area and to provide a needed redundant source of supply from the north for Soledad Mountain and its surrounding area in the City of San Diego;

Declaring that the public water pipeline will require

the acquisition of a permanent water easement, over, under, along and across portions of real property located in a portion of Lot 33 in Block 45 of La Jolla Park, Map-352, and that the public interest, convenience and necessity demand the acquisitions; Declaring that the proposed project is planned in a manner that will be most compatible with the greatest public good and the least private injury;

Declaring the intention of the City of San Diego to acquire the easement under eminent domain proceedings; directing the City Attorney to commence an action in Superior Court for the purpose of condemning and acquiring the easement and acquiring immediate possession.

NOTE: 6 votes required for Subitem A.

Subitem-B: (R-95-755) ADOPTED AS RESOLUTION R-285180

Authorizing the expenditure of not to exceed \$6,000 from Fund 41500/700, Organization 384, Object Account 4638, Job Order 521682, CIP-73-305.0, for costs related to condemnation of a permanent water easement in connection with the La Jolla Shores Pipeline Phase II project.

Subitem-C: (R-95-658) ADOPTED AS RESOLUTION R-285181

Stating for the record that Mitigated Negative Declaration DEP-89-1358 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines; that the declaration reflects the independent judgement of the City as Lead Agency; that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by Council in connection with the approval of a condemnation action for right-of-way for La Jolla Shores Pipeline Phase II; finding that project revisions now mitigate potentially significant effects on the environment and approving Mitigated Negative Declaration DEP-89-1358.

Aud. Cert. 9500380.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A027-062.)



Hearing began at 10:03 a.m. and halted at 10:12 a.m.

MOTION BY KEHOE TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334:

SUBJECT: Matter of the Torrey Pines Community Plan Update and associated amendments to the Progress Guide and General Plan and North City Local Coastal Program.  
(Torrey Pines Community Plan. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions and introduce the ordinances:

Subitem-A: (R-95-707) ADOPTED AS RESOLUTION R-285182

Adoption of a Resolution certifying that the information contained in Environmental Impact Report DEP-92-0126 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council and adopting appropriate findings of mitigation, feasibility or project alternatives and statement of overriding considerations pursuant to California Public Resources Code Section 21081.

Subitem-B: (O-95-62) INTRODUCED, TO BE ADOPTED ON  
JANUARY 23, 1995

Introduction of an Ordinance incorporating various open space properties within the Torrey Pines Community Planning Area into OS-R, and OS-OSP Zones.

Subitem-C: (O-95-63) INTRODUCED AS AMENDED, TO BE  
ADOPTED ON JANUARY 23, 1995

Introduction of an Ordinance amending Chapter X, Article 5, Division 2, of the San Diego Municipal Code by amending Section 105.0204 relating to Coastal Development Permits.

Subitem-D: (R-95-708) ADOPTED AS AMENDED AS RESOLUTION  
R-285183

Adoption of a Resolution adopting the comprehensive update of the Torrey Pines Community Plan, the Torrey Pines Public Facilities Financing Plan, and amendments to the Progress Guide and General Plan, and Local Coastal Program.

Subitem-E: (R-95-709) ADOPTED AS AMENDED AS RESOLUTION  
R-285184

Adoption of a Resolution adopting the Torrey Pines Public Facilities Financing Plan for September 1994.

Subitem-F: (R-95-710) ADOPTED AS RESOLUTION R-285185

Adoption of a Resolution rescinding existing Development Impact Fees for the Torrey Pines Community, and establishing new Development Impact Fees.

**SUPPORTING INFORMATION:**

The Torrey Pines Community Plan Update is a comprehensive revision to the 1975 Torrey Pines Community Plan. Actions associated with the Plan Update include the following:

1. Certification of Environmental Impact Report DEP-92-0126, including consideration of the Statement of Overriding Considerations;
2. Consideration of the September, 1994 Draft Torrey Pines Community Plan, which is a policy document designed to guide future land uses and public facility decisions in the community based on current and future needs;
3. Consideration of the September, 1994 Draft Torrey Pines Public Facilities Financing Plan (PFFP), which describes the public facilities needed for the community as it develops in accordance with the community plan. The PFFP also identifies the Development Impact Fees that would be required of new development to help fund the projected facility needs;
4. Consideration of the associated amendments to the Progress Guide and General Plan and the north City Local Coastal Program;
5. Consideration of open space rezonings on public parkland as shown on Rezoning Map C-860 available within the Planning Department;
6. Consideration of a categorical exclusion ordinance for development within that area shown on Rezoning Map C-866 available within the Planning Department.

**LEGAL DESCRIPTION:**

The Torrey Pines Community Planning Area encompasses approximately 2,600 acres of land, located in the northern coastal region of the City and within the California Coastal Zone. It lies immediately west of I-5, just south of the City of Solana Beach and north of the University Community.

FILE LOCATION: SUBITEMS A, D, E, & F: LAND - Torrey Pines Community Plan; SUBITEMS B & C: NONE

COUNCIL ACTION: (Tape location: A310-B606.)

Hearing began at 10:27 a.m. and halted at 11:25 a.m.

Testimony in opposition by Opal Trueblood, Robert Thorburn, and Wallace Danielson.

Testimony in favor by Verna Quinn, Bob Lewis, Janis Maloy, and Barbara Zumba.

MOTION BY MATHIS TO APPROVE THE TORREY PINES COMMUNITY PLAN UPDATE TO:

1. INCLUDE THE OPTION OF REZONING MR. ROBERT THORBURN'S PROPERTY AND TO HAVE HIM WORK WITH THE COMMUNITY AND THE TORREY PINES PLANNING GROUP ON A PROJECT SHOWING THE REZONING OF HIS PROPERTY; AND
2. ASSURE THE CITY OF DEL MAR THAT THE CITY MANAGER OF THE CITY OF SAN DIEGO WILL NEGOTIATE WITH THE CITY OF DEL MAR THE BRIDGE IMPROVEMENTS AND AN ADDITIONAL LANE THAT IS WITHIN THE JURISDICTION OF THE CITY OF DEL MAR AND THE CITY OF SAN DIEGO.

ADOPT THE CITY MANAGER'S RECOMMENDATION TO ADOPT SUBITEMS A THROUGH F WITH THE FOLLOWING CHANGES TO READ:

1. "SUBITEM-C: AMEND THE PROPOSED CATEGORICAL EXCLUSION ORDINANCE TO REQUIRE THAT APPLICANTS WITHIN THE CATEGORICAL EXCLUSION AREA AND WHICH OTHERWISE QUALIFY FOR CATEGORICAL EXCLUSION ALSO BE REQUIRED TO SEND, AT THE APPLICANT'S EXPENSE, A NOTICE OF APPLICATION TO RESIDENTS WITHIN 300 FEET OF THE PROPOSED PROJECT AND TO THE COMMUNITY PLANNING GROUP";
2. "SUBITEM-D: AMEND THE APPROPRIATE ELEMENTS OF THE TORREY PINES COMMUNITY PLAN, PROGRESS GUIDE AND GENERAL PLAN TO REFLECT THE ADDITIONAL NOTICING REQUIREMENT WITHIN THE CATEGORICAL EXCLUSION AREA. AMEND THE TRANSPORTATION ELEMENT OF THE COMMUNITY PLAN BY INCORPORATING THE REPLACEMENT LANGUAGE AS AMENDED, ADDRESSING THE SORRENTO

VALLEY ROAD REALIGNMENT, CARROL CANYON ROAD EXTENSION, CARMEL VALLEY ROAD STOP SIGNS AND NORTH TORREY PINES ROAD BRIDGES CONTAINED IN JEFF WASHINGTON'S MEMORANDUM DATED SEPTEMBER 8, 1994, TO DELETE THE STATEMENT THAT SAYS, "IN ADDITION, THE TORREY PINES COMMUNITY PLANNING GROUP ADAMANTLY OPPOSES THIS PROJECT UNLESS MITIGATION FOR THIS ROAD IMPROVEMENT INCLUDES FUNDING FOR THE CARMEL VALLEY ROAD BICYCLE/PEDESTRIAN PATHWAY"; AND 3. "SUBITEM E: AMEND THE PUBLIC FACILITIES FINANCING PLAN (PFFP) TO COMBINE PROJECTS TP-4 AND TP-10 INTO A SINGLE PROJECT AND TO SHOW D.I.F. FUNDING IN FISCAL YEAR 1996 FOR PROJECT TP-7."

DIRECT THE CITY MANAGER TO DO THE FOLLOWING:

1. PROVIDE A REPORT TO THE LAND USE AND HOUSING COMMITTEE SHOWING THE POTENTIAL FUNDING SOURCES FOR THE CARMEL VALLEY ROAD IMPROVEMENT AND BICYCLE/PEDESTRIAN PATHS (PROJECTS TP-4 AND TP-10 WITHIN THE PUBLIC FACILITIES FINANCING PLAN); AND
2. PROVIDE A REPORT TO THE LAND USE AND HOUSING COMMITTEE IN 6 MONTHS SHOWING THE EFFECTIVENESS OF THE INSTALLATION OF STOP SIGNS ON CARMEL VALLEY ROAD AT VIA GRIMALDI AND VIA APRILIA. Second by McCarty. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-nay, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335:

SUBJECT: San Diego Mercado Commercial Project - Property Acquisition Initiation.

(See City Manager Report CMR-94-403; See Redevelopment Agency Report RA-95.1. Barrio Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-95-979 REV.) ADOPTED AS RESOLUTION R-285186

Amending the Disposition and Development Agreement for the Mercado Del Barrio Commercial Project; Accepting the First Evidence of Financing, and initiating property acquisition activities.

NOTE: See the Redevelopment Agency Agenda of January 10, 1995, for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A129-187.)

MOTION BY VARGAS TO ADOPT THE RESOLUTION AS AMENDED TO SAY "...NOT TO EXCEED SIX MONTHS TO SUBMIT THE EVIDENCE OF FINANCING." Second by Harvey. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-336:

SUBJECT: Sidewalk Improvements on Third Avenue and "J" Street in the Marina Sub Area of the Centre City Redevelopment Project.  
(See memorandum from Centre City Development Corporation dated 12/2/94. District-2.)

CENTRE CITY DEVELOPMENT CORPORATION'S RECOMMENDATION:  
Adopt the following resolution:

(R-95-978) ADOPTED AS RESOLUTION R-285187

Making certain findings with respect to the payments for certain sidewalk improvements on Third Avenue and "J" Street in the Marina Sub Area of the Centre City Redevelopment Project.

NOTE: See the Redevelopment Agency Agenda of January 10, 1995 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A027-062.)

MOTION BY KEHOE TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Harvey-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-CS-1: (R-95-1062) ADOPTED AS RESOLUTION R-285188

A Resolution adopted by the City Council in Closed Session

on January 10, 1995:

Authorizing the City Manager to pay the total sum of \$137,500.00 in settlement of each and every claim against the City, its agents and employees resulting from the personal injury claims of Charles and Suzanne Phillips; authorizing the City Auditor and Comptroller to issue one check in the amount of \$137,00.00 made payable to Charles and Suzanne Phillips and their attorney of record, Theodore F. Schwartz, in full settlement of all claims.

Aud. Cert. 9500669

FILE LOCATION: MEET

NON-DOCKET ITEMS:  
None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 11:26 a.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: B607).